



Testimony by the Connecticut State Medical Society

Testimony on House Bill 5277

An Act Concerning the Establishment of Technical Standards for Medical Diagnostic Equipment That Promotes Accessibility in Health Care Facilities

Public Health Committee

March 7, 2022

Senator Abrams, Representative Steinberg, and distinguished members of the Public Health Committee, on behalf of the physicians and physicians in training of the Connecticut State Medical Society (CSMS), thank you for the opportunity to provide this testimony to you today on House Bill 5277, **An Act Concerning the Establishment of Technical Standards for Medical Diagnostic Equipment That Promotes Accessibility in Health Care Facilities**

As physicians we care for patients with disabilities and are supportive of removing barriers and improving access for our patients. As such, CSMS respects the intent and spirit of HB 5277. Wherever possible, efforts have been made by physicians across Connecticut to accommodate patients with disabilities. CSMS has been working closely and alongside the Connecticut Hospital Association in a workgroup convened by Representative D'Amico and members of the disability community to address disability access to medical diagnostic equipment and opportunities for education in the hospital and physician practice settings as to the challenges faced by the disability community.

This bill would require health care facilities to meet the technical standards for medical diagnostic equipment as proposed by the federal Architectural and Transportation Barriers Compliance Board. The technical assistance provided under these federal regulatory standards is a valuable resource for physicians when looking at disability access standards *but does not currently create any compliance mandates*; it is an advisory document.

That said, there are discussions ongoing at the federal level that may result in codifying all or part of the federal guidance document into law. This would of course create a federal legal mandate for Connecticut's health care facilities. If Connecticut were to jump the gun and codify the federal guidance document at this point, we run the substantial risk of the federal law being different than Connecticut's state law. It is not difficult to imagine the scenario where millions and millions of dollars are spent by health care facilities and invested into a Connecticut state law that is ultimately out of alignment with and superseded by federal law. Equipment would then have to be modified or repurchased to meet federal standards, with another substantial financial investment. This is a discussion that is already happening at the federal level and one

best left to the federal government to create standards that are uniform across all states, which is in the best interest of patient care as well as efficiency in manufacturing and purchasing such equipment.

In addition, adding additional burdens now when hospitals and physicians alike have been hammered by the economic fallout from the Covid-19 pandemic would likely result in the retirement of equipment, the loss of procedures and possibly even the early retirement of providers themselves. The independent physician office is vital to the care of patients in Connecticut and significant financial mandates, such as the ones required by this proposed legislation, may push even more practices to close their doors.

House Bill 5277 would create an unfunded mandate for physician offices that could impose significant financial burdens on physicians. CSMS encourages this Committee to monitor the discussions at the federal level and not create a law that has significant potential to be superseded by a forthcoming federal law.